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EXAMINER

SEVER, ANDREW T

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 07/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/099,938

Applicant(s)

TANAKA, YOSHITADA

Examiner

Andrew T Sever

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-9 is/are rejected.
- 7) ☒ Claim(s) 5 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because of **numerous errors**. **A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.**

Numerous errors were noted in the drawings and in the description of the drawings in the applicant's specification. Some of the errors are pointed out below in the objection to the drawings, however these are not all of the errors present and applicant is requested to amend the drawings and/or the specification so that the drawings and the specification conform. Further applicant is requested to amend the drawings so that all parts are labeled in every figure in which they appear.

1. The drawings are objected to because in the Brief description of the Drawings Fig. 14 and 18 state that they are a cross section taken along “ ? V -? V line “. **A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.**

The question mark appears to be in error and probably should be replaced with “XI” so that the cross section is along the line “XIV – XIV”.

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2. The drawings are objected to because In the Brief Description of the preferred drawings there is no individual brief description of figures 17A or B. **A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.**

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: part 472, which is described as a light guide on page 7 of applicant's specification. **A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.**

4. The drawings are objected to because the lamp 411 is not labeled in figures 4 and 6. **A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.**

Page 9 lines 18-23 indicate that figure 4, 6, and 7 should all show lamp 411, however it is not labeled in figures 4 and 6.

5. The drawings are objected to because cross-dichroic prism 45 is not labeled in figure 4. **A proposed drawing correction or corrected drawings are required in reply to the Office**

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**action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.**

6. The drawings are objected to because second condenser lens 419 is not labeled in figure

**4. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.**

7. The drawings are objected to because field lens 417 is not labeled in figure 4. A

**proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.**

8. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 23 B in figure 8. A

**proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.**

Page 14 line 22 of applicant's specification calls for a recess 23 B in figure 8, no recess is labeled as such.

*Specification*

9. The abstract of the disclosure is objected to because it is one long sentence. Correction is required. See MPEP § 608.01(b).

10. The disclosure is objected to because of the following informalities: it appears to be a literal translation from a foreign language document and is replete with idiomatic and grammatical errors.

Appropriate correction is required.

For example on page 1 the third paragraph starts out with a grammatical error and does not improve from there: “Recently, projector has come to be used in a wider area such as presentation in office meeting and business trip. Further, projector is now used in technical review session in research and development section by fetching and projecting CAD/CAM/CAE data, various seminars and workshops, and school classroom during audio-visual education. Further, projector is used for reviewing remedy and medical guidance by projecting medical image and data such as CT scan and MRI and for effectively staging exhibitions and events attracting a lot of people.”

Some of the larger errors noted in the specification by the examiner are given below, however the applicant should review the entire specification to insure that all errors, both minor (which the examiner has not pointed out), and major have been corrected.

The disclosure is objected to because of the following informalities: Page 12 line 24 does not make sense: "A mainly for cooling".

Appropriate correction is required.

The disclosure is objected to because of the following informalities: On page 12 line 27 and 29 applicant teaches that fans 51 and 52 are "silocco fans". This appears to be a spelling error as this is not a term of art. Does applicant mean "sirroco"?

Appropriate correction is required.

### ***Claim Objections***

11. Claim 4 is objected to because of the following informalities: the use of the term turnable. Appropriate correction is required.

It is not clear what is meant by the term turnable. From the drawings it appears that the button is a standard push button, whereas turnable would describe more of a rotating knob like that taught by US 2,745,313 S. E. Taylor in figure 2. Applicant needs to clarify the use of this term. For purposes of a prior art search and rejection, it will be assumed that applicant is claiming a standard push button, which releases the clamp through lever action.

12. Claim 5 recites the limitation "the support member" in claim 4. There is insufficient antecedent basis for this limitation in the claim.

The claim language implies that the support member has been previously claimed, however it has not been claimed.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1-4 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang et al. (US 2002/0113951.)

Huang teaches in figure 1 a projector inherently comprising an optical system that modulates a light beam irradiated by a light source and projects the light beam in an enlarged manner to form a projection image. A casing is provided to accommodate the optical system and inherently the projection image is projected in a direction from a backside of the casing toward a front side.

Huang further teaches in figure 3 an attitude adjusting mechanism that adjusts an attitude of the casing. The attitude adjusting mechanism comprises a foot member (22) disposed approximately at the center of the front side of the casing (see figure 1). The foot member is advanceable and retractable relative to the casing. A clamp (44) that engages with any of a plurality of engaging grooves (part clamp 44 is engaged with) formed on the foot member and arranged in an advancement and retraction direction of the foot member to fix the foot member at a desired advancement and retraction position.



Huang teaches in figure 1 that the manipulation button (5) is provided in the front side of the casing that causes the clamp out of engagement with the engaging groove. Figure 1 which is a different embodiment then figure 3 shows the button in the center, as opposed to applicant's claimed corner of the front side of the casing, however the embodiment of figure 3 as explained in paragraph 20 includes an L-type link in the first end of 32a "to fulfill the requirement of different locations of the button 5". One obvious location supported by the drawing in figure 3 would be the corner of the projector (note that the mirror image of figure 3 would place the button in the left corner of the projector, while the current orientation would put the button in the right front corner, assuming that it has been mechanically designed to allow for the projection lens to pass through.) Since Huang teaches using an L-type link to move the button away from the center of the projector towards one of the corners in the embodiment represented in figure 3, it would have been obvious to one of ordinary skill in the art at the time the invention was made to dispose the manipulation button at a corner of the front side of the casing.

**With regards to applicant's claim 2:**

Huang further teaches in figure 3 that the foot member is formed approximately into a flat plate, wherein the plurality of engaging grooves are formed at a central portion of the flat plate, and wherein a slide surface slidable relative to the casing is formed on both sides of the flat plate sandwiching the central portion. (Supporting means (20) surround the engaging grooves and are therefore obviously slidable relative to the casing.)

**With regards to applicant's claims 3 and 4:**

Huang further teaches that the clamp is held in a manner turnable relative to the casing, and that the link mechanism includes a turn lever held in a manner turnable relative to the casing. The engagement of the clamp is released by a combination of turning movement of the clamp and the turn lever. (Although the figures do not show when the clamp is not engaged with the grooves, it is inherent this is the method by which it engages and releases from the grooves. Further paragraph 25 teaches that the movement of the lever is a rotated (turnable) one.)

**With regards to applicant's claim 7:**

Huang's figure teaches that the first end of the turn lever is point-contacted with the clamp, and that a second end of the turn lever is point-contacted with the manipulation button. (This is obvious and inherent.)

**With regards to applicant's claims 8 and 9:**

Huang's link mechanism has a biasing means that is a tension spring (42 as is claimed in applicant's claim 9) that biases the turn lever in a direction along a turning direction to keep the second end of the turn lever in contact with the manipulation button.

***Allowable Subject Matter***

15. Claim 5 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

16. The following is a statement of reasons for the indication of allowable subject matter:

Huang et al., does not teach a support member for supporting the turn shaft of the clamp or the button, which is provided in the casing. Since Huang does not teach this, these claims would be allowable if re-written in independent form and if claim 5 had proper antecedent basis.

***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,302,543 to Arai et al. teaches in figure 8a a projector having support members at each corner of the front of the projector. A manipulation button is also disposed at each of the corners.

US 2,525,534 to P. J. Ernisse teaches in figure 2 a center foot member which is engaged by a turnable knob disposed at a corner on the front side of the casing.

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US 6,481,855 to Oehler teaches in figure 3 an elevator mechanism (52) which is disposed in the corner for adjusting the projector.


US 6,185,052 to Fujimori et al. teaches in figure 2 a center support (25c) for adjusting the attitude of the casing, this support is released by pressing buttons (251) located in the center front of the casing shown in figure 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T Sever whose telephone number is 703-305-4036. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on 703-308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

AS  
July 24, 2003

  
RUSSELL ADAMS  
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